



THE PAR-PLAN NEWS

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Season's Greetings



May Peace, Joy, Hope and Happiness be yours during this Holiday Season and throughout the New Year.

The Par-Plan Board of Directors

PAR-PLAN PRODUCES NEW TRAINING VIDEO

By James Youngblood
Midwest Claims Service, Inc.

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Term: July 1, 2006 through
June 30, 2007

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Midwest Claims Service, Inc. the claim administrator for the Michigan Township Participating Plan processes hundreds of lawsuits for the members of the Par-Plan annually. These lawsuits not only involve the townships as defendants, they also involve boards or commissions, elected or appointed officials, employee’s or volunteer under the direction of the public entity.

The training video titled “YOU HAVE BEEN SUED” is the fifth in a series of training videos to assist the members of the Par-Plan to avoid claims that end up in litigation. This video will provide information on the many facets of the law and litigation that will have an impact on the municipality.

Our team of appointed counsel and in-house attorneys specialize in defending the members of the Par-Plan and do everything they can to protect your interest. However our analysis of the statistical information we have compiled in the past twenty years tells us many of these lawsuits could have been avoided. The goal of the Par-Plan through the Risk Control department is to train the members to avoid this litigation by doing the right thing.

The new production will involve areal claim that ended up in litigation. The film will touch on the following topics:

- Actual accident that was in litigation
- The strategy of the Plaintiff attorney
- Freedom of information act
- Open Meeting and Closed sessions
- Service of a summons and complaint
- Reporting to your insurer
- Timelines of an appearance and answer to the complaint
- What happens when time frame is not met
- Interrogatories
- The strategy of Defense counsel;
- Preparing for a deposition
- Motions for dismissal
- How to be a good witness
- Mock trial
 - Ruling on motions
 - Selection of a jury
 - Plaintiff opening statements
 - Defendants opening statements
 - Testimony of Plaintiff and Defendants
 - Jury verdict

You could be named in a lawsuit and not know anything about an accident, however it is very difficult to get dismissed without going through the court system. You should be prepared.

This workshop will be conducted at the 2007 MTA Educational Conference during the Business Solutions Sessions from 11:45 a.m. to 1:15 p.m. in the Ambassador Ballroom-Salon 3, Level 3 of the Renaissance Center, Detroit.

PAR-PLAN CONVENTION HIGHLIGHTS

Wednesday, January 24, 2007 (7 to 9:00 p.m.)



You won't want to miss the magical transformation of the Winter Garden and participation in the Par-Plan's Hawaiian Luau. The event will begin with entertaining our guests with a one hour show of exquisite costumes and flawless Polynesian rhythms. Be sure that you arrive on time to see the exciting Samoan Fire Knife Dance, along with hula dances of Hawaii, Tahiti and New Zealand. That's not all: the fun really begins with audience participation in Hula lessons! We encourage you to dress in your Hawaiian or island attire to help complete the Luau ambience.

If you're looking for a taste of island delicacies and beverages-along with an evening of non-stop fun and excitement-limbo over to the GM Winter Garden (located right inside the Renaissance Center) for the never seen before Par-Plan Luau!

Thursday, January 25 (12:00 to 1:30 p.m.) Be sure to attend the workshop presented by Par-Plan service providers and legal counsel. Find out what it's like to be involved in an actual law suit.

****Look for Trial Handout in your delegate bag****

Michigan NETS Winter Driving Safety Tips

Winter driving season has arrived. It's amazing how many motorists have forgotten their winter driving skills during the short summer months. The fact is many crashes occur when motorists do not anticipate the road surface conditions.

Many people get into trouble by assuming the roads will not be slippery unless the temperature is freezing or below. Ice can form on road surfaces any time the air temperature drops to 40° degrees or less and especially in windy conditions. Bridges and underpasses can be especially hazardous, as the ability of moisture to dissipate from the roadway is different, along with varying surface angles. Low or shaded areas and areas surrounded by landscaping can also contribute too less than ideal road condition issues.

Intersections are also areas that although appear to be clear or only slightly wet are often ice-covered and slippery. This is caused by moisture emitting from the exhaust of cars waiting at the intersection, which then quickly freezes on the pavement. It is also recommended that motorists allow no less than a car-length in front of their vehicle when stopped behind other vehicles at intersections. They should also watch their rear-view mirrors for cars approaching too fast from behind. Often this extra margin of safety will allow drivers to pull forward in the event that an approaching vehicle begins to slide.

DRIVING TIPS

Skids occur as a result of braking or accelerating too hard or traveling too fast for conditions. Regardless of how it began, each should be handled in a similar fashion. The first thing to do is to remain calm, DON'T PANIC!



A. Braking on ice and snow.

- NO-ABS: The most efficient technique for braking under these conditions is to use threshold braking. This technique includes keeping your heel on the floor between the brake and the accelerator. Use your toes to press the brake to the point of the brakes locking up. Ease off the brake to the "threshold" where the brakes stop locking up.
- ABS: if the vehicle has anti-lock brakes (ABS), keep steady constant pressure on the brake pedal at all times. You may feel a slight vibration, which is normal. Don't "pump" the brakes. Just hold the pedal down. Letting up on the brake pedal will deactivate ABS and keep it from working for you.

B. Understanding the natural laws that affect the control of your vehicle can help you regain that control when you lose it through skidding. Skidding is loss of control over the direction your vehicle is moving because of reduced traction. If you skid, you are not helpless.

Remembering to follow these simple guidelines can help you manage the risk of a skid:

- Ease your foot off the accelerator or brake.
- Avoid stepping on the brake.
- De-clutch, on a vehicle with a manual transmission.
- Look and steer in the direction you want the vehicle to go.
- Make necessary steering adjustments smoothly and progressively.
- If you over-correct the first skid, be prepared for a skid in the other direction. Again, remember to look in the direction you want the vehicle to go.
- Continue to steer until your vehicle recovers from the skid.
- Once the vehicle is under control again, adjust your speed to the road conditions.
- Four-wheel-drive enthusiasts are reminded that although a four-wheel drive vehicle provides some additional traction in non-ideal weather conditions, drivers of these vehicles should take the same precautions as if they were driving in a non-four-wheel vehicle.

VEHICLE MAINTENANCE

Just as important as good driving skills, however, is preventative vehicle maintenance. Motorists need to make sure their vehicle is in good mechanical condition as weather conditions can cause unwanted vehicle issues.

- Make sure antifreeze is at the proper level
- Install new wiper blades and fill the washer reservoir
- Keep an extra bottle of washer solvent in the vehicle
- Make sure your battery terminals are clean and if the battery is more than three years old, have it tested by a qualified technician
- Check your tire treads. Don't assume your tires will make it another winter. Here's a good tip, take a penny and stick it into the tread (head first), if you can see Lincoln's head, it's time to invest in new tires. You should also check your tires air pressure monthly using an accurate pressure gauge. The correct PSI for your tires is located on your vehicle's tire information label, usually found on the technical information sheet located on the inside of your driver's side door. You must open the door to view this information. Or look in your owner's manual. At the very least, get your tires checked at a reputable tire dealer.



EMERGENCY SUPPLIES

Unexpected events can and do happen. By having an emergency kit prepared ahead of time and in your vehicle, you can increase your chances of arriving at your destination safely. Items in your emergency kit should include but are not limited to:

- Warm clothing, boots, stocking cap, gloves or mittens
- Flashlight with fresh batteries and flares
- Small shovel, sand or kitty litter
- Blankets
- Fresh first-aid supplies
- Drinking water, candy bars or other nutritious snacks
- Small candles and matches to light them with. A single lit candle can provide warmth for four hours.
- A charged cell phone or other communication device

Frozen car locks can also be a real safety issue. Carefully heating the end of a key with a match or a lighter will work most of the time. A squirt of de-icer spray that you can purchase at most gas stations and store it in your glove box is another quick method.

Reprinted from Michigan Network of Employers For Traffic Safety

*******NOTICE OF BOARD MEETING*******

The Michigan Township Participating Plan's quarterly Board of Directors meeting is scheduled for Monday, January 22, 2007 at the Detroit Marriott Renaissance Center. The board meeting is scheduled to begin at 4:00 p.m. and will be held in the Duluth B Room located on the 5th floor of the Renaissance Center.

All members are invited to attend.